

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CURTIS LAMONT WOODS,

Petitioner,

Case Number: 2:15-CV-10095

v.

HONORABLE PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

CARMEN PALMER,

Respondent.

**ORDER CONSTRUING PETITIONER’S “REBUTTAL TO ORDER AND
OPINION” AS MOTION FOR RECONSIDERATION AND DENYING MOTION**

On January 30, 2015, the Court summarily dismissed Curtis Lamont Woods’ habeas corpus petition because he failed to state a claim under which habeas relief may be granted. Woods has now filed a “Rebuttal to Opinion and Order,” which the Court construes as a Motion for Reconsideration.

Motions for rehearing or reconsideration may be granted when the moving party shows (1) a “palpable defect,” (2) by which the court and the parties were misled, and (3) the correction of which will result in a different disposition of the case. E.D. Mich. L.R. 7.1(h)(3). A “palpable defect” is a “defect which is obvious, clear, unmistakable, manifest or plain.” *Olson v. The Home Depot*, 321 F. Supp. 2d 872, 874 (E.D. Mich. 2004).

Woods’ motion expresses disagreement with the Court’s decision, but fails to offer any grounds for a finding that the Court’s decision was the result of a palpable defect. A

motion that simply reasserts arguments already denied by the Court fails to allege sufficient grounds upon which to grant reconsideration. L.R. 7.1(h)(3); *see also Graham ex rel. Estate of Graham v. County of Washtenaw*, 358 F.3d 377, 385 (6th Cir. 2004) (affirming district court's denial of motion for reconsideration where motion "merely raised arguments that were already ruled upon"). The Court concludes that Woods has not met his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition would result from the correction thereof.

Accordingly, the Court DENIES Petitioner's Motion for Reconsideration [dkt. # 7].

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: February 25, 2015

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on February 25, 2015.

s/Deborah Tofil
Case Manager